



ENTERED  
03/30/2021

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	)	
	)	Chapter 11
	)	
GRIDDY ENERGY LLC, <sup>1</sup>	)	Case No. 21-30923 (MI)
	)	
Debtor.	)	<b>Relates to Docket No. 17</b>
	)	

**ORDER (I) AUTHORIZING THE DEBTOR TO REDACT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION FOR INDIVIDUAL CREDITORS, (II) APPROVING THE FORM AND MANNER OF NOTIFYING CREDITORS OF THE COMMENCEMENT OF THIS CHAPTER 11 CASE AND OTHER INFORMATION; (III) AUTHORIZING ELECTRONIC NOTICE FOR FORMER CUSTOMERS; AND (IV) GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)<sup>2</sup> of the debtor and debtor in possession in the above-captioned case (the “Debtor”) for entry of an order (this “Order”), pursuant to sections 105(a) and 107(b) of the Bankruptcy Code, Bankruptcy Rules 1007, 2002, 6003, 6004 and 9007, and Bankruptcy Local Rule 9013-1, (i) authorizing the Debtor to redact certain personally identifiable information for individual creditors, (ii) approving the form and manner of notice of commencement of this chapter 11 case and the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code, (iii) authorizing electronic notice for former customers, and (iv) granting related relief, all as further described in the Motion; and upon consideration of the First Day Declaration; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and

<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 1396. The mailing address for the Debtor is PO Box 1288, Greens Farms, CT 06838.

this Court having found that the Debtor's notice of the Motion and opportunity for a hearing were adequate and appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at any hearing before this Court (the "Hearing"); and this Court having determined that the legal and factual bases set forth in the Motion and at any Hearing establish just cause for the relief granted herein; and all objections to the Motion having been withdrawn, resolved or overruled; and this Court having found and determined that the relief sought in the Motion is in the best interests of the Debtor the Debtor's estate, its creditors and other parties in interest; and upon all of the proceedings had before this Court and the record herein; and after due deliberation and good and sufficient cause appearing therefor,

**IT IS HEREBY ORDERED THAT:**

1. The Debtor is authorized to redact address information of individual creditors listed on the Creditor Matrix; provided, that the Debtor shall provide an unredacted version of the Creditor Matrix to the Court, the U.S. Trustee and any official committee of unsecured creditors appointed in this chapter 11 case. In addition, the Debtor is authorized to redact name and address information of former customers of the Debtor on its Schedules of Assets and Liabilities and Statement of Financial Affairs and any other documents filed with the Court; provided that, if requested, the Debtor shall provide an unredacted version of such documents to the Court and the U.S. Trustee.

2. If a party in interest submits a written request to the Debtor for access to an unredacted version of a document that has been filed in redacted form pursuant to this Order, the Debtor shall respond in writing to such request no later than five business days after receipt of

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<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

such request and, in the event that the Debtor will not agree to such a request, inform the U.S. Trustee. If the Debtor will not agree to such a request, the requesting party in interest may file a motion with the Court seeking access to such information in unredacted form and must include the reason such information is needed, including the intended use for such information.

3. The Debtor is authorized to serve the Notice of Commencement, substantially in the form attached hereto as Exhibit 1, on the Creditor Matrix and on its former customers. Service of the Notice of Commencement shall be deemed adequate and sufficient notice of: (a) the commencement of this chapter 11 case; and (b) the scheduling of the meeting of creditors under section 341 of the Bankruptcy Code.

4. Unless otherwise ordered by the Court, the Debtor is permitted to provide notice to its former customers by electronic means only and such notice will be considered to be proper and adequate notice for all matters in this chapter 11 case; provided that, the Debtor's first mailing to its former customers shall be by postcard, with the message set forth on the postcard to be substantially as set forth on Exhibit 2 attached hereto ("Initial Customer Notice"). If the email address of a former customer is no longer in use or the email is undeliverable, the Debtor shall send a text message to the person (based on the last known phone number in the Debtor's books and records) containing the link to Stretto's website and indicating that the Debtor attempted to email the former customer at his or her last known email address with an important document related to Griddy's chapter 11 case and the customer can access the document by clicking on: <https://cases.stretto.com/Griddy>. No further action or notice shall be required.

5. In addition to the above, as soon as is reasonably practicable after the entry of this Order, the Debtor shall post the language in the Initial Customer Notice in English and in Spanish on Facebook, Twitter, Instagram and on its website at [www.griddy.com](http://www.griddy.com).


6. Notice of the Motion as provided therein shall be deemed good and sufficient notice of the Motion and the requirements of Bankruptcy Rule 6004(a) and the Bankruptcy Local Rules are satisfied by such notice.

7. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

8. The Debtor is hereby authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

9. This Court shall retain exclusive jurisdiction to hear and determine all matters arising from or related to the implantation, interpretation, and enforcement of this Order.

Signed: March 30, 2021

  
\_\_\_\_\_  
Marvin Isgur  
United States Bankruptcy Judge

**Exhibit 1**

**Proposed Notice of Commencement**

**Information to identify the case:****Debtor:** Griddy Energy LLC**EIN:** 61-1791396

United States Bankruptcy Court for the Southern District of Texas

**Case Numbers:** 21-30923 (MI)**Date case filed for chapter 11****March 15, 2021****Official Form 309F (For Corporations or Partnerships)****Notice of Chapter 11 Bankruptcy Case****12/17****For the debtor listed above, a case has been filed under chapter 11 of the Bankruptcy Code. An order for relief has been entered.****This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtor or the debtor's property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtor. Creditors cannot demand repayment from the debtor by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.****Do not file this notice with any proof of claim or other filing in the case.**

1. **Debtor's full name:** See chart below.

NO.	DEBTOR	ADDRESS	CASE NO.	EIN #
1.	Griddy Energy LLC	PO Box 1288, Greens Farms, CT 06838	21-30923 (MI)	61-1791396

2. **All other names used in the last 8 years:** GreenBird Energy LLC

3. **Address:** See Chart Above

4. **Debtor's attorney**

David Eastlake, State Bar No. 24074165 BAKER BOTTS L.L.P. 910 Louisiana Street Houston, Texas 77002-4995 Telephone: 713/229-1234 Facsimile: 713/229-1522 Email: david.eastlake@bakerbotts.com  Robin Spigel ( <i>pro hac vice</i> ) BAKER BOTTS L.L.P. 30 Rockefeller Plaza New York, New York 10112 Telephone: (212) 408-2500 Facsimile: (212) 259-2501 Email: robin.spigel@bakerbotts.com	<u>Debtor's notice and claims agent (for court documents and case information inquiries):</u>  Griddy Energy, LLC c/o Stretto 410 Exchange, Suite 100 Irvine, CA 92602  U.S. toll-free: (855) 478-2725 International: (949) 471-0997 Email: GriddyInquiries@stretto.com Case website: <a href="https://cases.stretto.com/Griddy">https://cases.stretto.com/Griddy</a>
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**5.**

**Bankruptcy clerk's office**

Documents in this case may be filed at this address.

You may inspect all records filed in this case at this office or online at [www.pacer.gov](http://www.pacer.gov).

**United States Courthouse**

**515 Rusk Avenue  
Houston, Texas 77002**

All documents in this case are available free of charge on the website of the Debtor's notice and claims agent at <https://cases.stretto.com/Griddy>

**Hours open: Monday – Friday**

**8:00 AM – 5:00 PM (CT)**

**Contact phone: 713-250-5500**

**6.**

**Meeting of creditors (By Telephone)**

The debtor's representative must attend the meeting telephonically to be questioned under oath. Creditors may attend telephonically, but are not required to do so.

**April 20, 2021 at 1:30 PM (CT)**

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

**Telephonic Conference Call Line:**

**866-707-5468**

**Passcode: 6166997**

**7. Proof of claim deadline: For Former Customers, the proof of claim deadline is 5:00 p.m. on July 19, 2021. For governmental units, the proof of claim deadline is 5:00 p.m. on September 13, 2021. For all others, the proof of claim deadline is 5:00 p.m. April 28, 2021.**

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office.

Your claim will be allowed in the amount scheduled unless:

- Your claim is designated as disputed, contingent or unliquidated;
- You file a proof of claim in a different amount; or
- You receive another notice

If your claim is not scheduled or if your claim is designated as disputed, contingent, or unliquidated, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.

You may review the schedules at the bankruptcy clerk's office or online at [www.pacer.gov](http://www.pacer.gov).

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**8. Exception to discharge deadline**

The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.

If § 523(c) applies to your claim and you seek to have it excepted from discharge, you must start a judicial proceeding by filing a complaint by the deadline stated below

**Deadline for filing the complaint: To be Determined**

**9. Creditors with a foreign address**

If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**10. Filing a Chapter 11 bankruptcy case**

Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the property and may continue to operate its business.

**11. Discharge of debts**

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtor except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge under 11 U.S.C. § 1141(d)(6)(A), you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.

**Exhibit 2**

**Proposed Initial Customer Notice**



**TO FORMER CUSTOMERS\* OF GRIDDY ENERGY: NOTICE OF BANKRUPTCY FILING**

On March 15, 2021, Griddy Energy LLC (“Griddy”) filed for bankruptcy. The Judge in charge of the Case is the Honorable Marvin Isgur of the United States Bankruptcy Court for the Southern District of Texas. He has appointed Stretto.com as the Administrator who will send you important notices about the bankruptcy.

All future notices about Griddy’s bankruptcy and any rights you may have will be sent to you by email (or by text if Griddy has a valid phone number for you and does not have your correct email).

TO PROTECT ANY RIGHTS YOU MAY HAVE AS A FORMER CUSTOMER OF GRIDDY IT IS IMPORTANT THAT YOU OPEN AND READ ALL EMAILS, INCLUDING LINKS TO DOCUMENTS CONTAINED IN THE EMAILS SENT TO YOU FROM: “GRIDDY ENERGY on behalf of noreply@stretto.com.”

The Court has set July 19, 2021 at 5:00 p.m. (Central Time) as the last date for Former Customers\* to assert claims against Griddy in the bankruptcy court. If you are a Former Customer and believe you have a claim against Griddy that arose before March 15, 2021, you must fill out and send in a proof of claim form according to instructions you will receive by email from “GRIDDY ENERGY on behalf of noreply@stretto.com.” Failure to file a claim before the deadline may, pursuant to a future order of the Court, result in your claim being barred.

If you have questions or need to provide the Administrator with your updated and correct email address or phone number, please email: GriddyInquiries@stretto.com, or call toll-free: 855.478.2725.

You may also obtain information about Griddy’s bankruptcy at: <https://cases.stretto.com/Griddy>.

- \* You are a “Former Customer” if you (a) are a person who was a retail electricity customer (or the legal representative of such customer) of Griddy’s at any point from February 11, 2021 through February 19, 2021 and (b) are the holder of a claim of any kind against Griddy that arose during or relates to the period from February 11, 2021 through February 19, 2021.

United States Bankruptcy Court  
Southern District of Texas

In re:  
Griddy Energy LLC  
Debtor

Case No. 21-30923-mi  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: Mar 30, 2021

User: TylerLaws  
Form ID: pdf002

Page 1 of 3  
Total Noticed: 6

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 01, 2021:**

Recip ID	Recipient Name and Address
db	+ Griddy Energy LLC, P.O. Box 1288, Greens Farms, CT 06838-1288
cr	+ Lisa Sandifer Khoury, 6227 Oleander, Baytown, TX 77523-8252
intp	State of Texas, c/o Texas Attorney General's Office, Bankruptcy & Collections Division, P. O. Box 12548 MC-008, Austin, TX 78711-2548
op	+ Stretto, 410 Exchange, Suite 100, Irvine, CA 92602-1331
intp	+ multiple injured and death case tort claimants, c/o Jordan Holzer & Ortiz, 500 N Shoreline, Suite 900, Corpus Christi, TX 78401-0341

TOTAL: 5

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: houston_bankruptcy@LGBS.com	Mar 30 2021 20:52:00	Harris County, et al., Linebarger Goggan Blair & Sampson LLP, c/o Tara L. Grundemeier, P.O. Box 3064, Houston, TX 77253-3064

TOTAL: 1

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
intp		Bernice Willman
cr		Charles Huppert
cr		ERCOT
intp		Luminant Energy Company LLC
cr		Macquarie Energy LLC
cr		Macquarie Investments US Inc.
intp		Public Utility Commission of Texas
cr		Thomas Clark

TOTAL: 8 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 01, 2021

Signature: /s/Joseph Speetjens

District/off: 0541-4  
Date Rcvd: Mar 30, 2021

User: TylerLaws  
Form ID: pdf002

Page 2 of 3  
Total Noticed: 6

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 30, 2021 at the address(es) listed below:

Name	Email Address
Abigail R. Ryan	on behalf of Interested Party State of Texas Abigail.Ryan@oag.texas.gov
Christopher R. Newcomb	on behalf of Debtor Griddy Energy LLC chris.newcomb@bakerbotts.com jacob.herz@bakerbotts.com
David Robert Eastlake	on behalf of Debtor Griddy Energy LLC david.eastlake@bakerbotts.com
Deborah Michelle Perry	on behalf of Creditor ERCOT dperry@munsch.com
James Ryan Fowler	on behalf of Plaintiff Lisa Khoury rfowler@potts-law.com
James Ryan Fowler	on behalf of Creditor Lisa Sandifer Khoury rfowler@potts-law.com
Jana Smith Whitworth	on behalf of U.S. Trustee US Trustee jana.whitworth@usdoj.gov
Jason B. Binford	on behalf of Interested Party Public Utility Commission of Texas Jason.binford@oag.texas.gov
Jeffrey R Cox	on behalf of Interested Party Bernice Willman jcox@slmpc.com
John Lawrence	on behalf of Defendant Griddy Energy LLC john.lawrence@bakerbotts.com jessica.aquino@bakerbotts.com
John Lawrence	on behalf of Defendant Griddy Holdings LLC john.lawrence@bakerbotts.com jessica.aquino@bakerbotts.com
Karen Hope Beyea-Schroeder	on behalf of Creditor Thomas Clark karen.schroeder@rburnettlaw.com
Karen Hope Beyea-Schroeder	on behalf of Creditor Charles Huppert karen.schroeder@rburnettlaw.com
Kelli S. Norfleet	on behalf of Creditor Macquarie Energy LLC kelli.norfleet@haynesboone.com kenneth.rusinko@haynesboone.com
Kelli S. Norfleet	on behalf of Creditor Macquarie Investments US Inc. kelli.norfleet@haynesboone.com kenneth.rusinko@haynesboone.com
Kevin Chiu	on behalf of Debtor Griddy Energy LLC kevin.chiu@bakerbotts.com
Kevin M Lippman	on behalf of Creditor ERCOT klippman@munsch.com pmoore@munsch.com
Michael Alan Rosenthal	on behalf of Interested Party Luminant Energy Company LLC MBischooping@gibsondunn.com;kmatorana@gibsondunn.com
Rachel Ruth Obaldo	on behalf of Interested Party State of Texas bk-robaldo@oag.texas.gov sherri.simpson@oag.texas.gov
Riley Burnett	on behalf of Creditor Charles Huppert rburnett@rburnettlaw.com
Riley Burnett	on behalf of Creditor Thomas Clark rburnett@rburnettlaw.com
Robin Spigel	on behalf of Debtor Griddy Energy LLC robin.spigel@bakerbotts.com
Shelby A Jordan	on behalf of Interested Party multiple injured and death case tort claimants ecf@jhwclaw.com
Tara L Grundemeier	on behalf of Creditor Harris County et al. houston_bankruptcy@publicans.com
US Trustee	USTPRegion07.HU.ECF@USDOJ.GOV

District/off: 0541-4

User: TylerLaws

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Date Rcvd: Mar 30, 2021

Form ID: pdf002

Total Noticed: 6

TOTAL: 25